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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/594,466	09/27/2006	Sung Hoon Kim	CU-5130 WWP	1340

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EXAMINER

RIZK, SAMIR WADIE

ART UNIT	PAPER NUMBER
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2112

MAIL DATE	DELIVERY MODE
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07/01/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/594,466	Applicant(s) KIM ET AL.	
	Examiner SAM RIZK	Art Unit 2112	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 March 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 September 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

- Response to the applicant's amendment dated 3/23/2009
- Amended claims 1-6 have been submitted for examination
- Amended claims 1-6 have been rejected

Specification

1. In view of the applicant's amended specification filed on 3/23/2009, all objections to the specification are withdrawn.

Response to Arguments

2. Applicant's arguments with respect to claims 1-6 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-6 are rejected under 35 U.S.C. 102(e) as being anticipated by Strolle et al. US patent no. 7194047 (Hereinafter Strolle).

Art Unit: 2112

4. In regard to claim 1, Strolle teaches:

- (Currently amended) A Digital Television (DTV) receiver, comprising:
- a receiving unit for receiving a transmission signal including general data and robust data and converting the transmission signal into a base-band signal;
(Figure 3A, ref. (320) & (324) and col. 13, lines (22-27) in Strolle)
- an equalizing unit means for determining a symbol level of the transmission signal;
(Figure 3A, ref. (326) in Strolle)
- a trellis decoding unit for performing trellis decoding on a symbol of the determined level;
(Figure 3A, ref. (332) and col. 14, lines (32-45) in Strolle)
- a nonsystematic Reed Solomon (NRS) decoding unit for performing NRS decoding on the trellis-decoded robust data and for performing robust data error correction on the trellis-decoded robust data; and
(Figure 3A, ref. (328) and col. 13, lines (55-67) in Strolle)
- a restoring unit for restoring a digital video data stream with respect to the trellis-decoded general data and the NRS-decoded robust data.
(Figure 3A, ref. (338) & (340) in Strolle)

5. In regard to claim 2, Strolle teaches:

- (Currently amended) The DTV receiver as recited in claim 1, wherein the restoring unit includes:

Art Unit: 2112

- a packet formatting unit for reconstructing a packet with respect to the robust data;
(Figure 3A, ref. (336) & (340) in Strolle)
- a data deinterleaving unit for deinterleaving the reconstructed robust data;
(Figure 3A, ref. (330) in Strolle)
- an RS decoding unit means for correcting a forward error with respect to the general data and the robust data; and
(Figure 4, ref. (426) and fig. 5 in Strolle)
- a data derandomizing unit for derandomizing the RS-decoded data.
(Figure 3A, ref. (334) in Strolle)

6. In regard to claim 3, Strolle teaches:

- (Currently amended) The DTIV receiver as recited in claim 2, wherein the restoring unit further includes
- a controller for computing delay time for NRS decoding and packet reconstruction with respect to the robust data, and
(Figure 4, ref. (426) and fig. 5 in Strolle)
- the data derandomizing unit performs derandomization in consideration of the delay time.
(Figure 3A, ref. (334) in Strolle)

7. Claim 4 is rejected for the same reasons as per claim 1.

8. Claim 5 is rejected for the same reasons as per claim 2.

9. Claim 6 is rejected for the same reasons as per claim 3.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sam Rizk whose telephone number is (571) 272-8191. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Scott Baderman can be reached on (571) 272-3644. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronics Business Center (EBC) at 866-217-9197 (toll-free)

/Sam Rizk/

Examiner, Art Unit 2112